

## **REMARKS**

The present amendment is in response to the Office Action mailed in the above-referenced case on November 26, 2007, made final. Claims 18, 20, 22, 24 and 25 are standing for examination.

### **Merit Rejection under 35 U.S.C. 103(a)**

Claims 18, 20, 22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeda (USP 6876632) hereinafter Takeda, in view of Barker (WO 98/10573) hereinafter Barker, further in view of Reimann (USP 5892764), hereinafter Reimann.

The Examiner relies upon Takeda to teach a call waiting system, however, the Examiner admits that Takeda fails to teach when a user operating the Internet appliance connects to the ISP for Internet connection services a call forwarding service is automatically initiated causing the ISP to instruct the SCP to forward calls for the user to a specific number associated with the ISP and the cooperating software on the user's Internet appliance presents each call as an icon wherein the user transfers calls by manipulating the icons. Barker is relied upon to teach the automatic initiation of the call forwarding service and Reimann is relied upon to teach manipulating icons representing incoming and outgoing calls.

In response to the Examiner's rejections and comments, applicant herein amends the claim to recite forwarding the calls from the SCP to the user's computer as IP telephony, that is, in TCP/IP protocol, so the user actually can answer the calls as well as forward, etc., by manipulating icons. The unique aspect of applicant's claims, as amended, is while the user accesses the Internet on the phone line from their computer appliance, incoming calls for that line are converted to Internet protocol (IP) calls or TCP/IP and forwards the calls through the Internet to the computer, which treats them as icons. This is especially advantageous because the user may now stay

online, maintaining the connection with the ISP, and answer incoming calls simultaneously over the single line.

Applicant teaches that telephone survey server 2133 is connected via digital link 2134 to a CTI-server (hereinafter T-Server) 2142. It will be apparent to one with skill in the art that T-server 2142 and telephone-survey server 2133 may be one server capable of the required functions of the present invention. Separate servers are illustrated here for the explicit purpose of describing separate functionality.

T-server 2142 in this embodiment is a CTI-Sever capable of monitoring and directing activities of switch 2141. T-Server 2142 receives direction via link 2134 from telephone-survey server 2133 and directs switch 2141 to initiate a call to the remote access forwarding number of the client, thereby directing forwarding of incoming calls for the client to a number at switch 2141. From this point operation is the same as described above for the first embodiment, with incoming calls being converted at the IP interface associated with switch 2141 to TCP/IP protocol and routed to the client via connection 2136 and ISP 2130.

There are clear advantages over the known art made possible by applicant's unique server capability. One advantage is that due to bypassing the centrex functions of telephony switch 2151 by having the modem bank initiate the forwarding command to T-server 2142, no delay would be experienced by customer 2110 in logging on to the Internet. Another advantage of a server-controlled environment is that with appropriate software features available with PC 2112 (plug-in 2114), a method is enabled whereby the client at station 2110 can place a call to a person not connected to the Internet such as a friend, or public business, and so on, without disconnecting from the browsing session.

Takeda specifically teaches that only call alert messages are converted to a protocol capable of alerting the user connected to the Internet on the first terminal (col. 3, lines 20-50). Barker teaches a method of assigning a second telephone number to the same line being used to connect to the data provider. When a PSTN call is received while the user is connected to the Internet, the call is routed to the user

via the 2<sup>nd</sup> number (pg. 3, lines 22-31). The Reimann reference has an iconic interface on a conventional telephone device, not on an Internet-connected appliance, as claimed.

Therefore, applicant argues that applicant's independent claims 18, 20, 22 and 24, as amended and argued, are patentable over the art provided by the Examiner. Dependent claim 25 is patentable on its own merits, or at least as depended from a patentable claim.

Applicant respectfully requests the application be reconsidered and passed quickly to issue. If there are any time extensions due beyond any extension requested and paid with this amendment, such extensions are hereby requested. If there are any fees due beyond any fees paid with the present amendment, such fees are authorized to be deducted from deposit account 50-0534.

Respectfully Submitted,  
Yuri Shtivelman et al.

By *Donald R. Boys*  
Donald R. Boys  
Reg. No. 35,074

Central Coast Patent Agency, Inc.  
3 Hangar Way, Suite D  
Watsonville, CA 95076  
831-768-1755